

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL DOCKET NO. 09-027</b>
<b>v.</b>	*	<b>SECTION: “L”(2)</b>
<b>COURTNEY T. SEVERE</b> <b>a/k/a “Fuse”</b>	*	<b>VIOLATIONS: 21 U.S.C. § 841(a)(1)</b> <b>21 U.S.C. § 841(b)(1)(A)</b> <b>21 U.S.C. § 841(b)(1)(B)</b>
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**FACTUAL BASIS**

If this case were to proceed to trial, the government would prove the defendant, COURTNEY T. SEVERE, a/k/a “Fuse” (“SEVERE”), guilty beyond a reasonable doubt in a three-count indictment, which charges the defendant in count one of the indictment with knowingly and intentionally distributing over fifty (50) grams of cocaine base (“crack”), a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); and in counts two and three of the indictment with knowingly and intentionally distributing over five (5) grams of cocaine base (“crack”), a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B). The

government would establish through credible and competent witnesses and evidence the following facts:

***1. October 21, 2008 Buy***

The ATF operated a “bogus” store (UC location) on Oleander Street in the City of New Orleans within the Eastern District of Louisiana for several months in 2008. On October 20, 2008, SEVERE telephonically contacted an undercover officer (UC1) working at the UC location about a drug purchase. UC1 was advised by SEVERE advised that he could sell him two (2) ounces of crack cocaine for \$1,200.00 per ounce. SEVERE added that he was brokering the deal through a third party seller. UC1 and SEVERE began to negotiate the price. SEVERE advised that he would have to contact the seller and to finalize the price. UC1 and the unidentified seller (through SEVERE) finally agreed to a price of \$1,100.00 for each of the two (2) ounces. SEVERE added that the unidentified seller prefers to sell his crack cocaine by the rocks because he makes more money that way.

On October 21, 2008, SEVERE arrived at the UC location and confirmed that the UC1 was still interested in the crack cocaine purchase. Later that afternoon, SEVERE returned with two (2) individual clear plastic baggies that contained a white rock like substance. SEVERE placed the two baggies of suspected crack cocaine on the countertop in front of UC1. UC1 retrieved the suspected crack cocaine and weighed it on a scale. The scale revealed approximately 56.3 grams. UC1 then paid SEVERE the \$2,200.00 for the suspected crack cocaine. A second law enforcement officer (UC2), also working in an undercover capacity, witnessed the transaction. UC1 also provided SEVERE with two (2) cartons of Camel cigarettes for arranging the transaction. SEVERE then departed.

A Louisiana State Police Crime Lab report later indicated that the substance SEVERE delivered was, in fact, crack cocaine, and that it had a net weight of 52.91 grams.

***2. October 28, 2008 Buy***

On October 28, 2008, SEVERE telephonically contacted UC1 from his cell phone and SEVERE asked UC1 if he needed any crack cocaine. UC1 ordered two (2) ounces of crack cocaine from SEVERE.

When SEVERE arrived at the UC location, SEVERE placed two (2) clear plastic baggies containing a white rock like substance believed to be crack cocaine on the counter. UC1 weighed each of the baggies of suspected crack cocaine. The baggies weighed approximately 28.1 grams and 27.9 grams respectively. UC1 told SEVERE that he was only going to purchase one of the baggies. SEVERE became slightly irritated because he had brought both ounces of suspected crack cocaine. UC1 paid SEVERE the listed amount of the suspected crack cocaine and SEVERE then departed.

A Louisiana State Police Crime Lab report later indicated that the substance SEVERE delivered was, in fact, crack cocaine, and that it had a net weight of 27.40 grams.

***3. October 29, 2008 Buy***

SEVERE telephonically contacted UC1 on October 29, 2008 from his cell phone and asked UC1 if still he wanted to purchase an ounce of crack cocaine. SEVERE advised that he would be at the UC location shortly.

When SEVERE arrived at the UC location, he placed a clear plastic baggie containing a white rock like substance believed to be crack cocaine on the counter in front of UC1. UC1 placed the suspected crack cocaine on a scale and paid SEVERE \$1,100 for the suspected crack cocaine.

UC1 also provided SEVERE with two (2) cartons of cigarettes and two (2) individual packs of cigarettes. SEVERE then departed.

A Louisiana State Police Crime Lab report later indicated that the substance SEVERE delivered was, in fact, crack cocaine, and that it had a net weight of 27.50 grams.

**APPROVED AND ACCEPTED:**

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**COURTNEY T. SEVERE**                      Date  
**a/k/a "Fuse"**  
Defendant

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**WARREN L. MONTGOMERY**              Date  
Attorney for Defendant

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**EDWARD J. RIVERA**                      Date  
Attorney for the United States of America